

IN THE UNITED STATES DISTRICT COURT  
Northern District of Georgia  
Atlanta Division

RODERICK CHILES, )  
vs. )  
Plaintiff, ) CIVIL ACTION  
vs. )  
) FILE NO.  
CHRISTOPHER BRANDON KEITH; )  
VETERANS CHOICE LLC; and )  
INTEGON INDEMNITY )  
CORPORATION, )  
Defendants. )

**JOINT NOTICE OF AND PETITION FOR REMOVAL**

1.

A civil action was filed by the above-named plaintiff Roderick Chiles, in the State Court of Dekalb County, State of Georgia, naming as the defendants Christopher Brandon Keith; Veterans Choice LLC; and Integon Indemnity Corporation, being Civil Action File No. 23A02843, the Summons and Complaint in said civil action being attached hereto as Exhibit "A", the Answer of Defendant Veterans Choice LLC and Jury Demand being attached hereto as Exhibit "B", the Answer of Defendant Integon Indemnity Corporation and Jury Demand being attached hereto as Exhibit "C"<sup>1</sup>, and all discovery which has been filed in said civil action being attached hereto as Exhibit "D".

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<sup>1</sup> No service has been made upon Defendant Christopher Brandon Keith. Removal is among all defendants who have been served as of this date.

2.

Based on Defendant Veterans Choice LLC's and Defendant Integon Indemnity Corporation's information and belief, the Plaintiff in said action, Roderick Chiles, is now, was at the time of commencement of this lawsuit, and at all times since, a citizen and resident of the State of Georgia.

3.

Upon information and belief, defendant Christopher Brandon Keith is now and was at the time of commencement of this lawsuit, and at all times since, a citizen and resident of the State of North Carolina. Based on Defendant Veterans Choice LLC's and Defendant Integon Indemnity Corporation's information and belief, Defendant Keith has not yet been served with process in this matter.

4.

Defendant Veterans Choice LLC is now and was at the time of commencement of this lawsuit, and at all times since, a corporation organized and existing under the laws of the State of North Carolina, having its principal place of business at 12905 Winget Rd, Charlotte, North Carolina 28278.

5.

Defendant Integon Indemnity Corporation is now and was at the time of commencement of this lawsuit, and at all times since, a corporation organized and

existing under the laws of the State of North Carolina, having its principal place of business at 450 West Hanes Mill Road, Winston Salem, North Carolina 27105-1312.

6.

Plaintiff's claimed special damages exceed \$75,000.00. Plaintiff's complaint alleges that plaintiff has incurred medical expenses in excess of \$90,000 and will incur future medical expenses.

7.

All defendants who have been served as of the date of this Joint Notice of and Petition for Removal join in and consent to the instant notice of removal.

8.

The foregoing action is properly removable to this Court pursuant to 28 U.S.C. § 1441(a), 28 U.S.C. § 1446(a) and (b) and, in accordance with 28 U.S.C. § 1332(a), there being diversity of citizenship between the plaintiff and all of the defendants and the matter in controversy, exclusive of interests and costs, exceeds the sum of \$75,000.00.

9.

Defendant Veterans Choice LLC was served with process via Summons in the State of North Carolina on August 4, 2023. 28 U.S.C. § 1446(b)(2)(C) states: "If defendants are served at different times, and a later-served defendant files a notice of removal, any earlier-served defendant may consent to the removal even though

that earlier-served defendant did not previously initiate or consent to removal.” Pursuant to this section, Defendant Integon Indemnity Corporation consents to this removal. Now, within thirty (30) days after service and receipt by Defendant Veterans Choice LLC of a copy of the Summons and Complaint filed in the State Court of Dekalb County, State of Georgia, notice is hereby given in accordance with 28 U.S.C. § 1446 and, pursuant to Rule 11 of the Federal Rules of Civil Procedure, of the removal of said action to this Court.

STRAWINSKI & STOUT, P.C.

By: /s/ Nicole Wolfe Stout  
NICOLE WOLFE STOUT  
Georgia Bar No. 773370  
Attorneys for Defendants

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This is to certify that the foregoing pleading was prepared using Times New Roman 14-point font in accordance with Local Rule 5.1(C).

By: /s/ Nicole Wolfe Stout  
Nicole Wolfe Stout

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the foregoing JOINT NOTICE OF AND PETITION FOR REMOVAL, by electronic filing and service upon:

William D. Holman, Esq.  
Kenneth S. Nugent, P.C.  
4227 Pleasant Hill Road  
Building 11  
Duluth, Georgia 30096

This 5<sup>th</sup> day of September, 2023.

*/s/ Nicole Wolfe Stout*  
NICOLE WOLFE STOUT

96-3018